

January 5, 2023

The Honorable Ona T. Wang
United States District Court for the Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: *In Re Petition of Marginalised Affected Property Owners*, No. 1:21-mc-00681

Counsel for Petitioner and for the Joint Administrators in bankruptcy of Respondent BSG Resources, Limited (“BSGR”), jointly submit this Letter Motion to enter the attached Stipulated Order.

In accordance with the parties’ Joint Letter Motion of December 1 (ECF 40), and the subsequent Stipulated Order (ECF 41) approved by the Court, Petitioners, counsel for the Joint Administrators and Respondent BSGR have begun conducting their review of the 126 documents identified by Petitioner. So far, the parties have exchanged views on 49 sample documents and are still conducting productive exchanges. The meet and confer has been more time-consuming than expected, however, and was interrupted by holiday vacations. In light of the positive nature of the exchanges to date, however, the parties consider that they should be able to definitively report on the documents for which they have agreement and present the remaining documents for resolution by the Court if given an additional three weeks.

The parties therefore jointly propose a modification to the Stipulated Order, extending the deadline for a joint status report providing the results of the initial review of the 126 high-priority documents, to January 26, 2024, with the parties meeting and conferring on redactions continuously in the interim. The parties’ joint plan for handling the remainder of the production set or – to the extent that they cannot agree on a joint proposal – their respective positions would also be due on January 26, 2024.

The parties respectfully request that the Court enter the attached [Proposed] Stipulated Order, modifying the deadline for submission of the joint status report. No further Court action is needed at this time.

Respectfully submitted,

/s/ Marco B. Simons

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